



General Assembly

Substitute Bill No. 1096

January Session, 2015



AN ACT CONCERNING CHARTER SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-66aa of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 As used in [sections 10-66aa to 10-66ff] this section, sections 10-66bb
4 to 10-66nn, inclusive, as amended by this act, and [sections 10-66hh to
5 10-66kk, inclusive] sections 5 to 10, inclusive, of this act:

6 (1) "Charter school" means a public, nonsectarian school which is
7 (A) established under a charter granted pursuant to section 10-66bb, as
8 amended by this act, (B) organized as a nonprofit entity under state
9 law, (C) a public agency for the purposes of the Freedom of
10 Information Act, as defined in section 1-200, and (D) operated
11 independently of any local or regional board of education in
12 accordance with the terms of its charter and the provisions of [sections
13 10-66aa to 10-66ff] this section and sections 10-66bb to 10-66nn,
14 inclusive, as amended by this act, and sections 5 to 10, inclusive, of this
15 act, provided no member or employee of a governing council of a
16 charter school shall have a personal or financial interest in the assets,
17 real or personal, of the school;

18 (2) "Local charter school" means a public school or part of a public

19 school that is converted into a charter school and is approved by the
20 local or regional board of education of the school district in which it is
21 located and by the State Board of Education pursuant to subsection (e)
22 of section 10-66bb, as amended by this act;

23 (3) "State charter school" means a new public school approved by
24 the State Board of Education pursuant to subsection (f) of section 10-
25 66bb, as amended by this act;

26 (4) "Charter management organization" means any [entity] not-for-
27 profit organization that (A) is exempt from taxation under Section
28 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent
29 corresponding internal revenue code of the United States, as amended
30 from time to time, and (B) contracts with [that] a charter school
31 [contracts with] for educational design, implementation or whole
32 school management services; [and]

33 (5) "Whole school management services" means the financial,
34 business, operational and administrative functions for a school; and

35 (6) "Charter" means a contract between the governing council of a
36 charter school and the State Board of Education that sets forth the
37 roles, powers, responsibilities and performance expectations of each
38 party to the contract.

39 Sec. 2. Section 10-66bb of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective July 1, 2015*):

41 (a) (1) On and after July 1, 1997, and prior to July 1, 2015, the State
42 Board of Education may grant charters for local and state charter
43 schools in accordance with this section. On and after July 1, 2015, such
44 state board may grant initial certificates of approval for charters for
45 local and state charter schools in accordance with this section. Upon
46 granting an initial certificate of approval for a charter, such state board
47 shall submit a copy of the initial certificate of approval for the charter
48 and a summary of the comments made at a public hearing conducted
49 pursuant to subdivision (2) of subsection (e) of this section or

50 subparagraph (B)(ii) of subdivision (1) of subsection (f) of this section,
51 in accordance with section 11-4a, to the joint standing committees of
52 the General Assembly having cognizance of matters relating to
53 education and appropriations and the budgets of state agencies.

54 (2) The General Assembly may appropriate funds for the expenses
55 of the local and state charter schools. Upon such appropriation with
56 respect to an initial certificate of approval for a charter for a local or
57 state charter school, such initial certificate of approval for a charter
58 shall be effective and such initial certificate of approval for a charter
59 shall be deemed a charter.

60 (3) A charter or initial certificate of approval for a charter granted
61 under this section shall not be considered a license, as defined in
62 section 4-166, for the purposes of chapter 54.

63 (b) Any [person, association, corporation, organization or other
64 entity] not-for-profit organization that is exempt from taxation under
65 Section 501(c)(3) of the Internal Revenue Code of 1986, or any
66 subsequent corresponding internal revenue code of the United States,
67 as amended from time to time, public or independent institution of
68 higher education, local or regional board of education or two or more
69 boards of education cooperatively, or regional educational service
70 center may apply to the Commissioner of Education, at such time and
71 in such manner as the commissioner prescribes, to [establish] obtain an
72 initial certificate of approval for a charter, [school,] provided no
73 nonpublic elementary or secondary school may be established as a
74 charter school and no parent or group of parents providing home
75 instruction may establish a charter school for such instruction.

76 (c) On and after July 1, [2012] 2015, the State Board of Education
77 shall review, annually, all applications and grant initial certificates of
78 approval for charters, in accordance with subsections (e) and (f) of this
79 section, for a local or state charter school located in a town that has one
80 or more schools that have been designated as a commissioner's
81 network school, pursuant to section 10-223h, at the time of such

82 application, or a town that has been designated as a low achieving
83 school district, pursuant to section 10-223e, at the time of such
84 application. (1) Except as provided for in subdivision (2) of this
85 subsection, no state charter school shall enroll (A) (i) more than two
86 hundred fifty students, or (ii) in the case of a kindergarten to grade
87 eight, inclusive, school, more than three hundred students, or (B)
88 twenty-five per cent of the enrollment of the school district in which
89 the state charter school is to be located, whichever is less. (2) In the
90 case of a state charter school found by the State Board of Education to
91 have a demonstrated record of achievement, said board shall, upon
92 application by such school to said board, waive the provisions of
93 subdivision (1) of this subsection for such school. (3) The State Board of
94 Education shall give preference to applicants for charter schools (A)
95 whose primary purpose is the establishment of education programs
96 designed to serve one or more of the following student populations: (i)
97 Students with a history of low academic performance, (ii) students
98 who receive free or reduced priced lunches pursuant to federal law
99 and regulations, (iii) students with a history of behavioral and social
100 difficulties, (iv) students identified as requiring special education, (v)
101 students who are English language learners, or (vi) students of a single
102 gender; (B) whose primary purpose is to improve the academic
103 performance of an existing school that has consistently demonstrated
104 substandard academic performance, as determined by the
105 Commissioner of Education; (C) that will serve students who reside in
106 a priority school district pursuant to section 10-266p; (D) that will serve
107 students who reside in a district in which seventy-five per cent or more
108 of the enrolled students are members of racial or ethnic minorities; (E)
109 that demonstrate highly credible and specific strategies to attract,
110 enroll and retain students from among the populations described in
111 subparagraph (A)(i) to (A)(vi), inclusive, of this subdivision; or (F) that,
112 in the case of an applicant for a state charter school, such state charter
113 school will be located at a work-site or such applicant is an institution
114 of higher education. In determining whether to grant an initial
115 certificate of approval for a charter, the State Board of Education shall
116 consider (i) the effect of the proposed charter school on (I) the

117 reduction of racial, ethnic and economic isolation in the region in
118 which it is to be located, (II) the regional distribution of charter schools
119 in the state, [and] (III) the potential of over-concentration of charter
120 schools within a school district or in contiguous school districts, and
121 (IV) the state's efforts to close achievement gaps, as defined in section
122 10-1600, and (ii) the comments made at a public hearing conducted
123 pursuant to subdivision (2) of subsection (e) of this section or
124 subparagraph (B)(ii) of subdivision (1) of subsection (f) of this section.

125 (d) Applications pursuant to this section shall include a description
126 of: (1) The mission, purpose and any specialized focus of the proposed
127 charter school; (2) the interest in the community for the establishment
128 of the charter school; (3) the school governance and procedures for the
129 establishment of a governing council that (A) includes (i) teachers and
130 parents and guardians of students enrolled in the school, and (ii) the
131 chairperson of the local or regional board of education of the town in
132 which the charter school is located and which has jurisdiction over a
133 school that resembles the approximate grade configuration of the
134 charter school, or the designee of such chairperson, provided such
135 designee is a member of the board of education or the superintendent
136 of schools for the school district, or the superintendent's designee, and
137 (B) is responsible for the oversight of charter school operations,
138 provided no member or employee of the governing council may have a
139 personal or financial interest in the assets, real or personal, of the
140 school; (4) the financial plan for operation of the school, provided no
141 application fees or other fees for attendance, except as provided in this
142 section, may be charged; (5) the educational program, instructional
143 methodology and services to be offered to students; (6) the number
144 and qualifications of teachers and administrators to be employed in the
145 school; (7) the organization of the school in terms of the ages or grades
146 to be taught and the total estimated enrollment of the school; (8) the
147 student admission criteria and procedures to (A) ensure effective
148 public information, (B) ensure open access on a space available basis,
149 including the enrollment of students during the school year if spaces
150 become available in the charter school, (C) promote a diverse student

body, and (D) ensure that the school complies with the provisions of section 10-15c and that it does not discriminate on the basis of disability, athletic performance or proficiency in the English language, provided the school may limit enrollment to a particular grade level or specialized educational focus and, if there is not space available for all students seeking enrollment, the school may give preference to siblings but shall otherwise determine enrollment by a lottery, except the State Board of Education may waive the requirements for such enrollment lottery pursuant to subsection (j) of this section; (9) a means to assess student performance that includes participation in mastery examinations, pursuant to section 10-14n; (10) procedures for teacher evaluation and professional development for teachers and administrators; (11) the provision of school facilities, pupil transportation and student health and welfare services; (12) procedures to encourage involvement by parents and guardians of enrolled students in student learning, school activities and school decision-making; (13) procedures to document efforts to increase the racial and ethnic diversity of staff; (14) a five-year plan to sustain the maintenance and operation of the school; [and] (15) a student recruitment and retention plan that shall include, but not be limited to, a clear description of a plan and the capacity of the school to attract, enroll and retain students from among the populations described in subparagraph (A)(i) to (A)(v), inclusive, of subdivision (3) of subsection (c) of this section; (16) a plan to share student learning practices and experiences with the local or regional board of education of the town in which the proposed charter school is to be located; and (17) in the case of an application in which the governing council of the proposed charter school intends to contract with a charter management organization for whole school management services: (A) Evidence of the charter management organization's ability to (i) serve student populations that are similar to the student population that will be served by the proposed charter school, (ii) create strong academic outcomes for students, and (iii) successfully manage nonacademic school functions, (B) a term sheet that sets forth (i) the length of the contract for whole school management services, (ii) the roles and

186 responsibilities of the governing council of the proposed charter
187 school, the staff of the proposed charter school and the charter
188 management organization, (iii) the scope of services and resources to
189 be provided by the charter management organization, (iv) the
190 performance evaluation measures and timelines, (v) the compensation
191 structure, including a clear identification of all fees to be paid to the
192 charter management organization, (vi) the methods of contract
193 oversight and enforcement, and (vii) the conditions for renewal and
194 termination of the contract, and (C) evidence of compliance with the
195 provisions of section 10 of this act. Subject to the provisions of
196 subsection (b) of section 10-66dd, an application may include, or a
197 charter school may file, requests to waive provisions of the general
198 statutes and regulations not required [by] under sections 10-66aa to
199 [10-66ff] 10-66nn, inclusive, as amended by this act, and sections 5 to
200 10, inclusive, of this act, and which are within the jurisdiction of the
201 State Board of Education.

202 (e) An application for the establishment of a local charter school
203 shall be submitted to the local or regional board of education of the
204 school district in which the local charter school is to be located for
205 approval pursuant to this subsection. The local or regional board of
206 education shall: (1) Review the application; (2) hold a public hearing in
207 the school district on such application; (3) survey teachers and parents
208 in the school district to determine if there is sufficient interest in the
209 establishment and operation of the local charter school; and (4) vote on
210 a complete application not later than [sixty] seventy-five days after the
211 date of receipt of such application. Such board of education may
212 approve the application by a majority vote of the members of the
213 board present and voting at a regular or special meeting of the board
214 called for such purpose. If the application is approved, the board shall
215 forward the application to the State Board of Education. The State
216 Board of Education shall vote on the application not later than
217 [seventy-five] sixty days after the date of receipt of such application.
218 Subject to the provisions of subsection (c) of this section, the State
219 Board of Education may approve the application and grant the initial

220 certificate of approval for the charter for the local charter school or
221 reject such application by a majority vote of the members of the state
222 board present and voting at a regular or special meeting of the state
223 board called for such purpose. The State Board of Education may
224 condition the opening of such school on the school's meeting certain
225 conditions determined by the Commissioner of Education to be
226 necessary and may authorize the commissioner to release the initial
227 certificate of approval for the charter when the commissioner
228 determines such conditions are met. [The state board may grant the
229 charter for the local charter school] After an initial certificate of
230 approval for a charter for a local charter school is deemed a charter
231 pursuant to subdivision (2) of subsection (a) of this section, such
232 charter may be valid for a period of time of up to five years. [and] The
233 state board may allow the applicant to delay its opening for a period of
234 up to one school year in order for the applicant to fully prepare to
235 provide appropriate instructional services. On and after July 1, 2015,
236 any initial certificate of approval for a charter granted by the state
237 board to a local charter school shall include academic and
238 organizational performance goals, developed by the state board, that
239 set forth the performance indicators, measures and metrics that will be
240 used by the state board to evaluate the local charter school.

241 (f) (1) Except as otherwise provided in subdivision (2) of this
242 subsection, an application for the establishment of a state charter
243 school shall be (A) submitted to the State Board of Education for
244 approval in accordance with the provisions of this subsection, and (B)
245 filed with the local or regional board of education in the school district
246 in which the charter school is to be located. The state board shall: (i)
247 Review such application; (ii) hold a public hearing on such application
248 in the school district in which such state charter school is to be located;
249 (iii) solicit and review comments on the application from the local or
250 regional board of education for the school district in which such
251 charter school is to be located and from the local or regional boards of
252 education for school districts that are contiguous to the district in
253 which such school is to be located; and (iv) vote on a complete

254 application not later than ninety days after the date of receipt of such
255 application. The State Board of Education may approve an application
256 and grant the initial certificate of approval for the charter for the state
257 charter school by a majority vote of the members of the state board
258 present and voting at a regular or special meeting of the state board
259 called for such purpose. The State Board of Education may condition
260 the opening of such school on the school's meeting certain conditions
261 determined by the Commissioner of Education to be necessary and
262 may authorize the commissioner to release the initial certificate of
263 approval for the charter when the commissioner determines such
264 conditions are met. [Charters shall be granted] After an initial
265 certificate of approval for a charter for a state charter school is deemed
266 a charter pursuant to subdivision (2) of subsection (a) of this section,
267 such charter may be valid for a period of time of up to five years. [and]
268 The state board may allow the applicant to delay its opening for a
269 period of up to one school year in order for the applicant to fully
270 prepare to provide appropriate instructional services. On and after
271 July 1, 2015, any initial certificate of approval for a charter granted by
272 the state board to a state charter school shall include academic and
273 organizational performance goals, developed by the state board, that
274 set forth the performance indicators, measures and metrics that will be
275 used by the state board to evaluate the state charter school.

276 (2) On and after July 1, 2012, and before July 1, [2017] 2015, the State
277 Board of Education shall not approve more than four applications for
278 the establishment of new state charter schools unless two of the four
279 such applications are for the establishment of two new state charter
280 schools whose mission, purpose and specialized focus is to provide
281 dual language programs or other models focusing on language
282 acquisition for English language learners. Approval of applications
283 under this subdivision shall be in accordance with the provisions of
284 this section.

285 (g) Charters may be renewed, upon application, in accordance with
286 the provisions of this section for the granting of such charters. Upon

287 application for such renewal, the State Board of Education may
288 commission an independent appraisal of the performance of the
289 charter school that includes, but is not limited to, an evaluation of the
290 school's compliance with the provisions of this section and, on and
291 after July 1, 2015, progress in meeting the academic and organizational
292 performance goals set forth in the charter granted to the charter school.
293 The State Board of Education shall consider the results of any such
294 appraisal in determining whether to renew such charter. The State
295 Board of Education may deny an application for the renewal of a
296 charter if (1) student progress has not been sufficiently demonstrated,
297 as determined by the commissioner, (2) the governing council has not
298 been sufficiently responsible for the operation of the school or has
299 misused or spent public funds in a manner that is detrimental to the
300 educational interests of the students attending the charter school, (3)
301 the school has not been in compliance with the terms of the charter
302 granted by the state board, applicable laws and regulations, [or] (4) the
303 efforts of the school have been insufficient to effectively attract, enroll
304 and retain students from among the following populations: (A)
305 Students with a history of low academic performance, (B) students
306 who receive free or reduced priced lunches pursuant to federal law
307 and regulations, (C) students with a history of behavioral and social
308 difficulties, (D) students identified as requiring special education, or
309 (E) students who are English language learners, or (5) the governing
310 council of the state or local charter school has not established
311 communications with the local or regional board of education of the
312 town in which the state or local charter school is located to share
313 student learning practices and experiences. If the State Board of
314 Education does not renew a charter, it shall notify the governing
315 council of the charter school of the reasons for such nonrenewal. On
316 and after July 1, 2015, any charter renewed by the State Board of
317 Education shall include academic and organizational performance
318 goals, developed by the state board, that set forth the performance
319 indicators, measures and metrics that will be used by the state board to
320 evaluate the charter school.

321 (h) The Commissioner of Education may at any time place a charter
322 school on probation if (1) the school has failed to (A) adequately
323 demonstrate student progress, as determined by the commissioner, (B)
324 comply with the terms of its charter or with applicable laws and
325 regulations, (C) achieve measurable progress in reducing racial, ethnic
326 and economic isolation, or (D) maintain its nonsectarian status, or (2)
327 the governing council has demonstrated an inability to provide
328 effective leadership to oversee the operation of the charter school or
329 has not ensured that public funds are expended prudently or in a
330 manner required by law. If a charter school is placed on probation, the
331 commissioner shall provide written notice to the charter school of the
332 reasons for such placement, not later than five days after the
333 placement, and shall require the charter school to file with the
334 Department of Education a corrective action plan acceptable to the
335 commissioner not later than thirty-five days from the date of such
336 placement. The charter school shall implement a corrective action plan
337 accepted by the commissioner not later than thirty days after the date
338 of such acceptance. The commissioner may impose any additional
339 terms of probation on the school that the commissioner deems
340 necessary to protect the educational or financial interests of the state.
341 The charter school shall comply with any such additional terms not
342 later than thirty days after the date of their imposition. The
343 commissioner shall determine the length of time of the probationary
344 period, which may be up to one year, provided the commissioner may
345 extend such period, for up to one additional year, if the commissioner
346 deems it necessary. In the event that the charter school does not file or
347 implement the corrective action plan within the required time period
348 or does not comply with any additional terms within the required time
349 period, the Commissioner of Education may withhold grant funds
350 from the school until the plan is fully implemented or the school
351 complies with the terms of probation, provided the commissioner may
352 extend the time period for such implementation and compliance for
353 good cause shown. Whenever a charter school is placed on probation,
354 the commissioner shall notify the parents or guardians of students
355 attending the school of the probationary status of the school and the

356 reasons for such status. During the term of probation, the
357 commissioner may require the school to file interim reports concerning
358 any matter the commissioner deems relevant to the probationary
359 status of the school, including financial reports or statements. No
360 charter school on probation may increase its student enrollment or
361 engage in the recruitment of new students without the consent of the
362 commissioner.

363 (i) The State Board of Education may revoke a charter if a charter
364 school has failed to: (1) Comply with the terms of probation, including
365 the failure to file or implement a corrective action plan; (2)
366 demonstrate satisfactory student progress, as determined by the
367 commissioner; (3) comply with the terms of its charter or applicable
368 laws and regulations; or (4) manage its public funds in a prudent or
369 legal manner. Unless an emergency exists, prior to revoking a charter,
370 the State Board of Education shall provide the governing council of the
371 charter school with a written notice of the reasons for the revocation,
372 including the identification of specific incidents of noncompliance with
373 the law, regulation or charter or other matters warranting revocation
374 of the charter. [It] The State Board of Education shall also provide the
375 governing council with the opportunity to demonstrate compliance
376 with all requirements for the retention of its charter by providing the
377 State Board of Education or a subcommittee of the board, as
378 determined by the State Board of Education, with a written or oral
379 presentation. Such presentation shall include an opportunity for the
380 governing council to present documentary and testimonial evidence to
381 refute the facts cited by the State Board of Education for the proposed
382 revocation or in justification of its activities. Such opportunity shall not
383 constitute a contested case within the meaning of chapter 54. The State
384 Board of Education shall determine, not later than thirty days after the
385 date of an oral presentation or receipt of a written presentation,
386 whether and when the charter shall be revoked and notify the
387 governing council of the decision and the reasons therefor. A decision
388 to revoke a charter shall not constitute a final decision for purposes of
389 chapter 54. In the event an emergency exists in which the

390 commissioner finds that there is imminent harm to the students
391 attending a charter school, the State Board of Education may
392 immediately revoke the charter of the school, provided the notice
393 concerning the reasons for the revocation is sent to the governing
394 council not later than ten days after the date of revocation and the
395 governing council is provided an opportunity to make a presentation
396 to the board not later than twenty days from the date of such notice.

397 (j) (1) The governing council of a state or local charter school may
398 apply to the State Board of Education for a waiver of the requirements
399 of the enrollment lottery described in subdivision (8) of subsection (d)
400 of this section, provided such state or local charter school has as its
401 primary purpose the establishment of education programs designed to
402 serve one or more of the following populations: (A) Students with a
403 history of behavioral and social difficulties, (B) students identified as
404 requiring special education, (C) students who are English language
405 learners, or (D) students of a single gender.

406 (2) An enrollment lottery described in subdivision (8) of subsection
407 (d) of this section shall not be held for a local charter school that is
408 established at a school that is among the schools with a percentage
409 equal to or less than five per cent when all schools are ranked highest
410 to lowest in school performance index scores, as defined in section 10-
411 223e.

412 Sec. 3. Section 10-66cc of the general statutes is repealed and the
413 following is substituted in lieu thereof (*Effective July 1, 2015*):

414 (a) The governing council of a charter school shall submit annually,
415 to the Commissioner of Education, a strategic school profile report as
416 described in subsection (c) of section 10-220.

417 (b) The governing council of each charter school shall submit
418 annually, to the Commissioner of Education, at such time and in such
419 manner as the commissioner prescribes, and, in the case of a local
420 charter school, to the local or regional board of education for the school

421 district in which the school is located, a report on the [condition of the
422 school] school's progress in meeting the academic and organizational
423 performance goals set forth in the charter granted by the state board,
424 including a description of (1) the educational progress of students in
425 the school, (2) the financial condition of the school, including a
426 certified audit statement of all revenues from public and private
427 sources and expenditures, (3) the school's accomplishment of the
428 mission, purpose and any specialized focus of the charter school, (4)
429 the racial and ethnic composition of the student body and efforts taken
430 to increase the racial and ethnic diversity of the student body, and (5)
431 best practices employed by the school that contribute significantly to
432 the academic success of students.

433 Sec. 4. Section 10-66ll of the general statutes is repealed and the
434 following is substituted in lieu thereof (*Effective July 1, 2015*):

435 Annually, the [commissioner] Commissioner of Education shall
436 randomly select one state charter school, as defined in subdivision (3)
437 of section 10-66aa, as amended by this act, to be subject to a
438 comprehensive financial audit conducted by an independent auditor
439 selected and monitored by the [Commissioner of Education]
440 commissioner. Except as provided [for] in subsection (d) of section 10-
441 66ee, the charter school shall be responsible for all costs associated
442 with the audit conducted pursuant to the provisions of this section.

443 Sec. 5. (NEW) (*Effective July 1, 2015*) (a) On and after October 1, 2015,
444 each member of a governing council of a state or local charter school
445 shall complete training related to charter school governing council
446 responsibilities and best practices at least once during the term of the
447 charter.

448 (b) On and after October 1, 2015, each governing council of state and
449 local charter schools shall adopt anti-nepotism and conflict of interest
450 policies consistent with state law and best practices in nonprofit
451 corporate governance.

452 Sec. 6. (NEW) (*Effective July 1, 2015*) Each charter management
453 organization of a state or local charter school or, if there is no charter
454 management organization associated with a state or local charter
455 school, the governing council of such charter school, shall submit
456 annually, to the Commissioner of Education, (1) a certified audit
457 statement of all revenues from public and private sources and
458 expenditures, and (2) a complete copy of such organization's or
459 council's most recently completed Internal Revenue Service form 990,
460 including all parts and schedules.

461 Sec. 7. (NEW) (*Effective July 1, 2015*) The Commissioner of Education
462 shall post any reports, certified audit statements and forms submitted
463 to the Department of Education pursuant to section 10-66cc of the
464 general statutes, as amended by this act, and section 6 of this act on the
465 department's Internet web site not later than thirty days after receiving
466 such reports, statements or forms. The commissioner shall identify any
467 charter management organization or governing council of a charter
468 school that did not submit a report, certified audit statement or form
469 for the current reporting period and post such information on the
470 department's Internet web site not later than thirty days after failing to
471 receive such reports, statements or forms.

472 Sec. 8. (NEW) (*Effective July 1, 2015*) (a) On and after July 1, 2015, the
473 State Board of Education shall require members of the governing
474 council of a state or local charter school and members of a charter
475 management organization to submit to a records check of the
476 Department of Children and Families child abuse and neglect registry,
477 established pursuant to section 17a-101k of the general statutes, and to
478 state and national criminal history records checks before the state
479 board grants initial certificates of approval for charters pursuant to
480 section 10-66bb of the general statutes, as amended by this act, or
481 before such members may be hired by the governing council of a state
482 or local charter school or charter management organization. The
483 criminal history records checks required under this subsection shall be
484 conducted in accordance with section 29-17a of the general statutes.

485 (b) On and after July 1, 2015, the governing council of a state or local
486 charter school shall require each applicant for a position in a state or
487 local charter school and each contractor doing business with a state or
488 local charter school, who performs a service involving direct student
489 contact, to submit to a records check of the Department of Children
490 and Families child abuse and neglect registry, established pursuant to
491 section 17a-101k of the general statutes, and to state and national
492 criminal history records checks before such applicant may be hired or
493 such contractor begins to perform such service. The criminal history
494 records checks required under this subsection shall be conducted in
495 accordance with section 29-17a of the general statutes.

496 Sec. 9. (NEW) (*Effective July 1, 2015*) (a) If a governing council of a
497 state or local charter school plans to make a material change in the
498 school's operations, such governing council of such charter school shall
499 submit, in writing, a request to amend the school's charter to the State
500 Board of Education. For purposes of this section, "material change"
501 means a change that fundamentally alters a charter school's mission,
502 organizational structure or educational program, including, but not
503 limited to, (1) altering the educational model in a fundamental way, (2)
504 opening an additional school building, (3) contracting for or
505 discontinuing a contract for whole school management services with a
506 charter management organization, (4) renaming the charter school, (5)
507 changing the grade configurations of the charter school, or (6)
508 increasing or decreasing the total student enrollment capacity of the
509 charter school by twenty per cent or more.

510 (b) In determining whether to grant a request by a state or local
511 charter school to amend its charter, the State Board of Education shall
512 (1) review the written request of the charter school, (2) solicit and
513 review comments on the request from the local or regional board of
514 education of the town in which the charter school is located, and (3)
515 vote on the request not later than sixty days after the date of receipt of
516 such request or as part of the charter renewal process. The state board
517 may approve the material change by a majority vote of the members of

518 the state board present and voting at a regular or special meeting of
519 the state board called for such purpose or for the purpose of
520 considering whether to renew the charter of the charter school,
521 pursuant to subsection (g) of section 10-66bb of the general statutes, as
522 amended by this act.

523 Sec. 10. (NEW) (*Effective July 1, 2015*) (a) The governing council of a
524 state or local charter school may only enter into a contract for whole
525 school management services with a charter management organization.

526 (b) The governing council of a state or local charter school shall not
527 enter into any contract for whole school management services that is
528 contrary to state or federal law or regulations, which entails any
529 financial or other conflicts of interest, or which amends, alters or
530 modifies any provision of the charter granted by the State Board of
531 Education to the school. To the extent that there is a conflict between
532 the terms of the charter of the school and a contract for whole school
533 management services, the terms of the charter shall govern.

534 (c) The governing council of a state or local charter school shall
535 submit any contract for whole school management services between
536 such governing council and charter management organization to the
537 State Board of Education for approval. The state board, in determining
538 whether to approve such contract, shall (1) review such contract, (2)
539 solicit and review comments on such contract from the local or
540 regional board of education of the town in which the charter school is
541 located or in which the proposed charter school is to be located, and (3)
542 vote on such contract not later than sixty days after the date of receipt
543 of such contract. The state board may approve such contract by a
544 majority vote of the members of the state board present and voting at a
545 regular or special meeting of the state board called for such purpose.
546 Any contract for whole school management services between the
547 governing council of a state or local charter school and a charter
548 management organization shall not take effect unless such contract has
549 been approved by the State Board of Education.

550 (d) The governing council of a state or local charter school shall not
 551 enter into any contract for whole school management services that
 552 would have the effect of reducing the governing council's
 553 responsibility for the operation of the charter school, or which would
 554 hinder the governing council in exercising effective supervision of the
 555 charter school.

556 (e) Any governing council of a state or local charter school that
 557 enters into a contract for whole school management services shall
 558 directly select, retain and compensate the attorney, accountant or audit
 559 firm representing the governing council.

560 (f) A contract for whole school management services shall include,
 561 but need not be limited to: (1) The roles and responsibilities of the
 562 governing council of the charter school and the charter management
 563 organization, including all services to be provided under the contract,
 564 (2) the performance measures, mechanisms and consequences by
 565 which the governing council will hold the charter management
 566 organization accountable for performance, (3) the compensation to be
 567 paid to the charter management organization, including all fees,
 568 bonuses and what such compensation includes or requires, (4)
 569 financial reporting requirements and provisions for the governing
 570 council's financial oversight, (5) a choice of law provision that states
 571 that Connecticut state law shall be the controlling law for the contract,
 572 and (6) any such information required by the Commissioner of
 573 Education to ensure compliance with the provisions of chapter 164 of
 574 the general statutes.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|---------------------|-------------|
| Section 1 | <i>July 1, 2015</i> | 10-66aa |
| Sec. 2 | <i>July 1, 2015</i> | 10-66bb |
| Sec. 3 | <i>July 1, 2015</i> | 10-66cc |
| Sec. 4 | <i>July 1, 2015</i> | 10-66ll |
| Sec. 5 | <i>July 1, 2015</i> | New section |
| Sec. 6 | <i>July 1, 2015</i> | New section |

| | | |
|---------|---------------------|-------------|
| Sec. 7 | <i>July 1, 2015</i> | New section |
| Sec. 8 | <i>July 1, 2015</i> | New section |
| Sec. 9 | <i>July 1, 2015</i> | New section |
| Sec. 10 | <i>July 1, 2015</i> | New section |

ED *Joint Favorable Subst.*

KID *Joint Favorable*

APP *Joint Favorable*